



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-3495  
ATTN: Susan Glenn, Project Manager

Public Notice Date: May 22, 2005  
Expiration Date: June 20, 2005  
Reference: 200501065  
Name: Smokey Point Blvd. L.L.C.

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Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

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**APPLICANT:** Smokey Point Blvd., L.L.C.  
895 Southwest 23<sup>rd</sup> Street  
Redmond, Oregon 97756  
ATTN: Mr. Bob Riemenschneider  
Telephone: (541) 279-1462

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**AGENT:** Ecological Solutions, Inc.  
4013 32<sup>nd</sup> Avenue West  
Seattle, Washington 98199  
ATTN: Mr. Scott Luchessa  
Telephone: (206) 285-3015

**LOCATION:** In wetlands located near Smokey Point Channel east of Smokey Point Boulevard, north of 152<sup>nd</sup> Street, and west of the City of Marysville, Snohomish County, Washington in Sections 28 and 33, Township 31N, Range 5E.

**WORK:** The proposal project is composed of the following:

- o Construction of a mixture of commercial and residential uses on a 106 acre parcel. Commercial development will encompass an area of about 55 acres with approximately 13 acres expected to be retail floor area.
- o Approximately 21 acres will be used for single family and multi-family residential uses and associated infrastructure.
- o Approximately 5.9 acres will be wetland mitigation and associated buffer. About 6.4 acres will entail the 125-foot wide critical area buffer and a 5.54 acre stormwater detention area is planned directly adjacent to the buffer and proposed mitigation.

**PURPOSE:** To convert hay fields to commercial and residential uses in accordance with the City of Marysville master plan.

**ADDITIONAL INFORMATION:** The Corps determined that there were 3.0 acres of jurisdictional wetlands on the site (Corps Reference No. 200401442). With the exception of a 7,850 square foot wetland within the southern hay fields, all of the wetlands are ditches. The existing landowner has altered approximately 2.0 acres of jurisdictional wetlands (ditches).

**MITIGATION:** A draft wetland mitigation plan has been developed to offset wetland resource impacts resulting from the Smokey Point Blvd. Project. The proposed mitigation site is on-site immediately adjacent to the Smokey Point Channel. A copy of the March 9, 2006, wetland mitigation plan is available for review upon request.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The bald eagle (*Haliaeetus leucocephalus*), listed threatened; Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*), listed threatened; Coastal/Puget Sound bull trout (*Salvelinus confluentus*), listed threatened; Puget Sound/Georgia Strait coho (*Oncorhynchus kisutch*), candidate spp. (spp. of concern); may occur in the proposed project area. For Chinook and bull trout, critical habitat has been designated.

A preliminary determination indicates that the activity will "not adversely affect" endangered or threatened species, or their critical habitat, designated under the Endangered Species Act of 1973. Informal consultation under Section 7 of the ESA has been initiated with the NMFS and/or the USFWS.

**CULTURAL RESOURCES:** The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the

200501065

National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

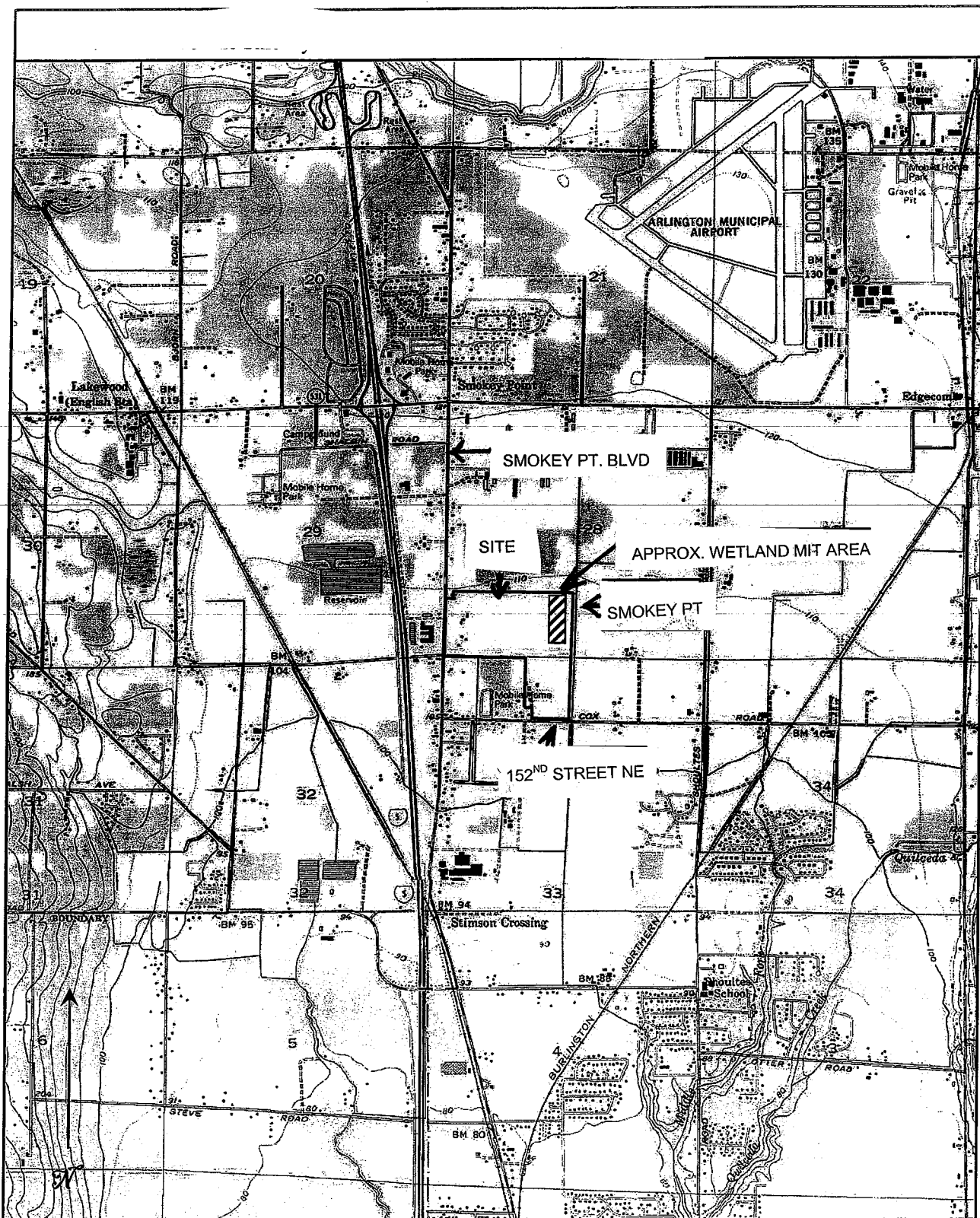
This proposed project site is outside of Shoreline Management Act jurisdiction.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to [Susan.S.Glenn@usace.army.mil](mailto:Susan.S.Glenn@usace.army.mil). Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Smokey Point Blvd. L.L.C., 200501065

Encl

Drawings (4)



PURPOSE: TO CONVERT TO COMMERCIAL AND RESIDENTIAL USES

PROPOSED: SMOKEY POINT MASTER PLAN  
 IN: SMOKEY POINT CHANNEL  
 NEAR: MARYSVILLE  
 COUNTY: SNOHOMISH STATE: WA  
 APPLICATION BY: SMOKEY POINT BLVD, LLC.  
 SHEET 1 OF 4 DATE: 09/08/2005

REFERENCE: 200501065

PURPOSE: TO CONVERT TO COMMERCIAL AND RESIDENTIAL USES



PROPOSED: SMOKEY POINT MASTER PLAN  
IN: SMOKEY POINT CHANNEL  
NEAR: MARYSVILLE  
COUNTY: SNOHOMISH  
APPLICATION BY: SMOKEY POINT BLVD, LLC.  
SHEET 2 OF 4

STATE: WA  
DATE: 09/08/2005  
REFERENCE: 200501065

**LEGEND**  
 = IMPACTED DITCHES  
 = UNIMPACTED DITCH SEGMENTS  
 = WETLAND AREAS

OTHER IDENTIFIED WETLANDS  
 WETLAND D AREA = 7,850 SF  
 TOTAL SMOKEY POINT CHANNEL (DITCH #6) AREA= 26,309 SF

\*WIDTH DETERMINED FROM FIELD OBSERVATION.

IMPACTED DITCHES AND WETLANDS					
DITCH #	TOP WIDTH	BOTTOM WIDTH	AVERAGE WIDTH	LENGTH	TOTAL AREA (SQ FT)
DITCH #1	6.0'	2.0'	4.0'	387.8'	1,551.2
DITCH #2	9.0'	2.0'	5.5'	1,298.2'	7,140.1
DITCH #3	9.0'	2.5'	5.8'	1,480.6'	8,587.5
DITCH #4	N/A	N/A	*25.0'	1,167.4'	29,185.0
DITCH #5	10.0'	2.0'	6.0'	767.8'	4,606.8
DITCH #7A	10.0'	2.3'	6.2'	839.3'	5,203.7
DITCH #7B	N/A	N/A	*20.0'	743.9'	14,918.0
WETLAND C					16,086.3
TOTAL					87,279.5

PROJECT NO. PDA3177  
 DATE: 08/09/05  
 BY: CLL  
 SHEET NO. EX1

**WETLANDS EXHIBIT**  
**SMOKEY POINT SHORT-SUBDIVISION**  
 PACIFIC DEVELOPMENT & ASSOCIATES  
 MARYSVILLE, WASHINGTON

**W R G**  
**DESIGN INC.**  
 6415 SW Weigate Dr, Ste 100 Portland, OR 97221  
 Tel 503/4982500 Fax 503/4982500  
 PLANNING • ENGINEERING • LANDSCAPE ARCHITECTURE • SURVEYING

# Smokey Point

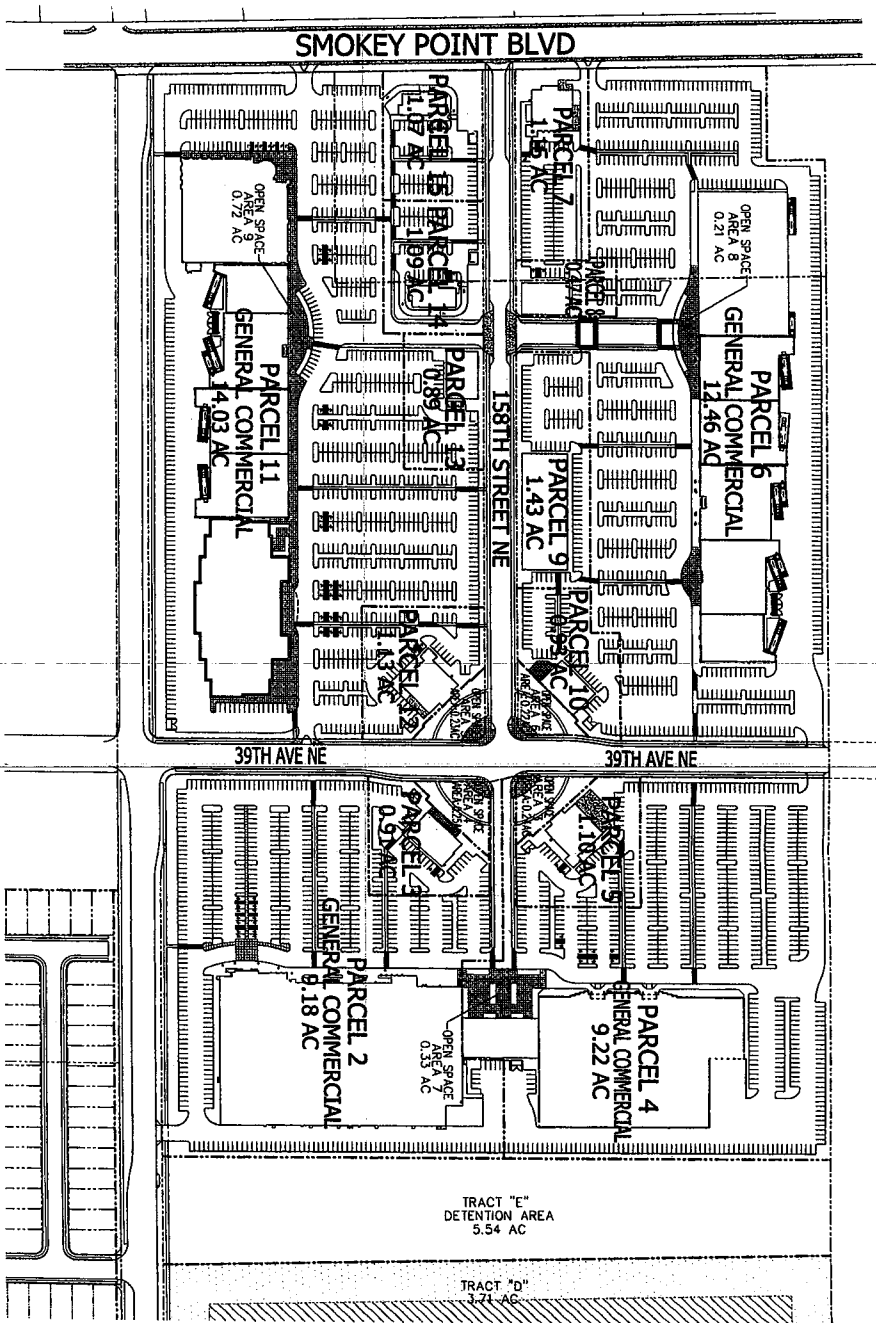
A Pacific Development & Associates,

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PROPOSED: SMOKEY POINT MASTER PLAN  
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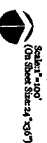
COUNTY: SNOHOMISH STATE: WA  
APPLICATION BY: SMOKEY POINT BLVD, LLC.  
SHEET 3 OF 4 DATE: 09/08/2005

REFERENCE: 200501065



## SMOKEY POINT SITE INFORMATION

PARCEL 2 SITE AREA:	9.19 AC
RESTAURANT BLDG AREA:	5,477 SF
RETAIL BLDG AREA:	5,431 SF
TOTAL PARKING STALLS:	4,331
PARKING RATIO:	0.91 AC
PARCEL 3 SITE AREA:	5,435 SF
RESTAURANT BLDG AREA:	5,751
RETAIL BLDG AREA:	5,751
TOTAL PARKING STALLS:	5,751
PARKING RATIO:	0.92 AC
PARCEL 4 SITE AREA:	9.22 AC
RESTAURANT BLDG AREA:	5,435 SF
RETAIL BLDG AREA:	5,435 SF
TOTAL PARKING STALLS:	5,435
PARKING RATIO:	0.92 AC
PARCEL 5 SITE AREA:	1.10 AC
RESTAURANT BLDG AREA:	6,711 SF
RETAIL BLDG AREA:	6,711 SF
TOTAL PARKING STALLS:	6,711
PARKING RATIO:	0.92 AC
PARCEL 6 SITE AREA:	12.46 AC
RESTAURANT BLDG AREA:	45,511 SF
RETAIL BLDG AREA:	15,000 SF
TOTAL PARKING STALLS:	15,000
PARKING RATIO:	0.92 AC
PARCEL 7 SITE AREA:	1.15 AC
RESTAURANT BLDG AREA:	6,711 SF
RETAIL BLDG AREA:	6,711 SF
TOTAL PARKING STALLS:	6,711
PARKING RATIO:	0.92 AC
PARCEL 8 SITE AREA:	0.47 AC
RESTAURANT BLDG AREA:	5,404 SF
RETAIL BLDG AREA:	5,404 SF
TOTAL PARKING STALLS:	5,404
PARKING RATIO:	0.92 AC
PARCEL 9 SITE AREA:	1.43 AC
RESTAURANT BLDG AREA:	18,070 SF
RETAIL BLDG AREA:	18,070 SF
TOTAL PARKING STALLS:	18,070
PARKING RATIO:	0.92 AC
PARCEL 10 SITE AREA:	0.53 AC
RESTAURANT BLDG AREA:	5,404 SF
RETAIL BLDG AREA:	5,404 SF
TOTAL PARKING STALLS:	5,404
PARKING RATIO:	0.92 AC
PARCEL 11 SITE AREA:	14.03 AC
RESTAURANT BLDG AREA:	10,725 SF
RETAIL BLDG AREA:	10,725 SF
TOTAL PARKING STALLS:	10,725
PARKING RATIO:	0.92 AC
PARCEL 12 SITE AREA:	1.13 AC
RESTAURANT BLDG AREA:	7,011 SF
RETAIL BLDG AREA:	7,011 SF
TOTAL PARKING STALLS:	7,011
PARKING RATIO:	0.92 AC
PARCEL 13 SITE AREA:	0.99 AC
RESTAURANT BLDG AREA:	5,404 SF
RETAIL BLDG AREA:	5,404 SF
TOTAL PARKING STALLS:	5,404
PARKING RATIO:	0.92 AC
PARCEL 14 SITE AREA:	1.09 AC
RESTAURANT BLDG AREA:	3,968 SF
RETAIL BLDG AREA:	3,968 SF
TOTAL PARKING STALLS:	3,968
PARKING RATIO:	0.92 AC
PARCEL 15 SITE AREA:	1.07 AC
RESTAURANT BLDG AREA:	3,968 SF
RETAIL BLDG AREA:	3,968 SF
TOTAL PARKING STALLS:	3,968
PARKING RATIO:	0.92 AC



Scale: 1"=100'  
(On Sheet 2 of 4)

# Smokey Point

A Pacific Development & Associates, LLC Master Plan

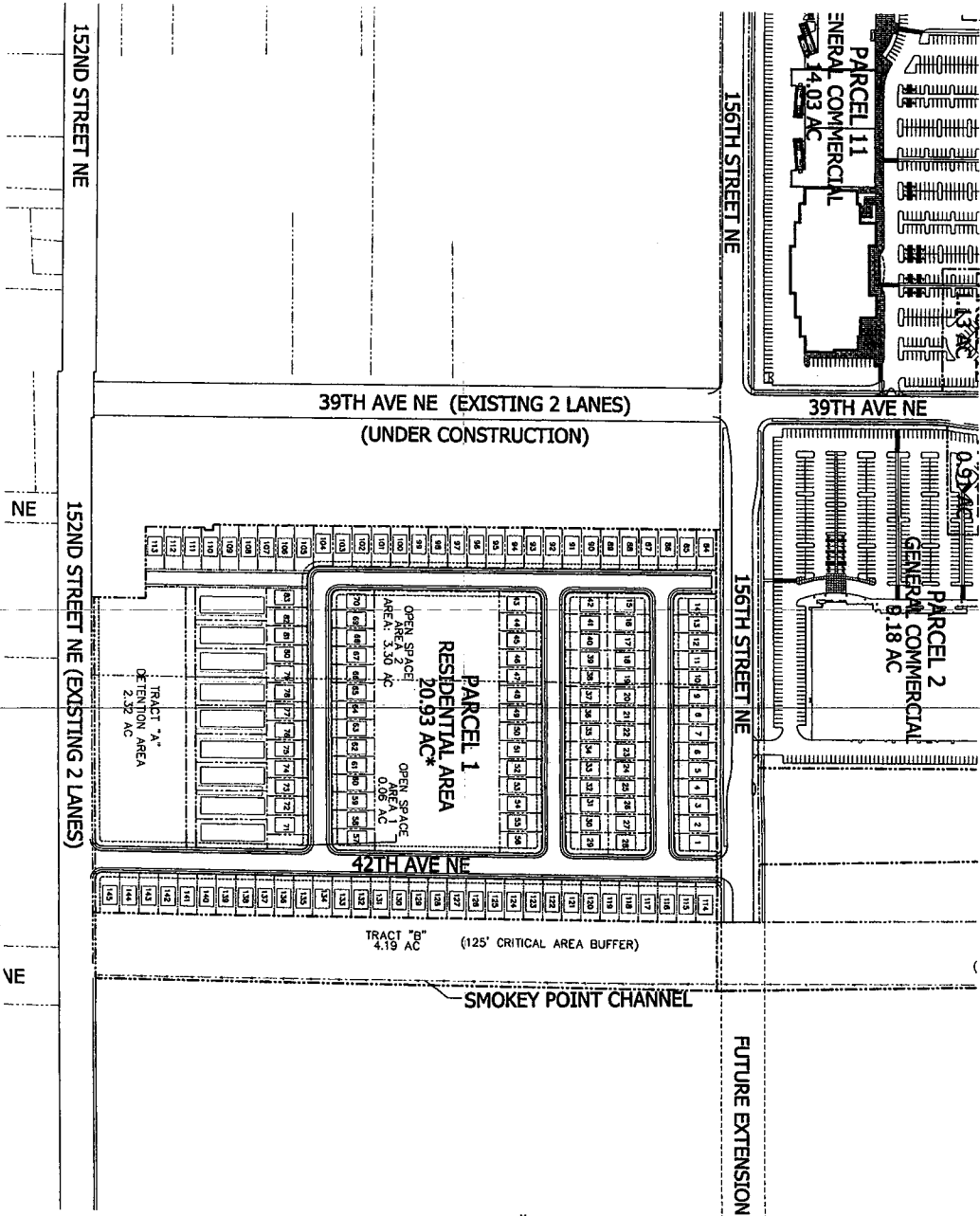
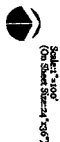
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COUNTY: SNOHOMISH  
APPLICATION BY: SMOKEY POINT BLVD, LLC.  
SHEET 4 OF 4  
DATE: 09/08/2005

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W R G  
DESIGN INC.



SMOKEY POINT PARCEL 1 SITE INFORMATION			
TOTAL PARCEL 1 PROJECT AREA:	28.48 AC		
TRACT BUFFER AREA:	4.19 AC		
OPEN SPACE AREA:	5.38 AC		
NET RESIDENTIAL AREA**:	20.93 AC		
DETACHED UNITS:			
40' X 85' LOT	67		
35.5' X 68.5' LOT	78		
MULTI-FAMILY UNITS:			
12 UNITS, 108' X 25'	108		
TOTAL UNITS:	253		
PROPOSED DENSITY:	12.09 UNITS/AC		
MINIMUM DENSITY (12/AC):	248 UNITS		
MAXIMUM DENSITY (18/AC):	374 UNITS		

\* NOTE: MAXIMUM ALLOWED NET RESIDENTIAL AREA SHALL BE 20% OF THE 105.70 GROSS MASTER PLAN AREA. (21.14 AC)  
 \*\* NOTE: MINIMUM REQUIRED ACTIVE OPEN SPACE SHALL BE 5% OF THE GROSS MASTER PLAN AREA. (5.28 AC) THEREFORE, 1.92 ADDITIONAL ACRES OF ACTIVE OPEN SPACE SHALL BE PROVIDED WITHIN THE OTHER PARCELS OF THE MASTER PLAN AREA.  
 \*\*\* NOTE: OPEN SPACE AREAS 1 AND 2 ARE NOT INCLUDED IN THE NET RESIDENTIAL SITE AREA



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**SEATTLE DISTRICT, CORPS OF ENGINEERS**  
P.O. BOX 3755  
SEATTLE, WASHINGTON 98124-3755

Regulatory Branch

Washington State Department of Ecology  
SEA Program  
Federal Permit Coordinator  
Post Office Box 47600  
Olympia, Washington 98504-7600

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Reference: 200501065  
Smokey Point Blvd. L.L.C.

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Ladies and Gentlemen:

Enclosed is a copy of the Certification Consistency with the Washington State Coastal Zone Management Program for the reference project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michelle Walker", is positioned above the printed name.

Michelle Walker  
Chief, Regulatory Branch

Enclosure





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
*P.O. Box 47600 • Olympia, Washington 98504-7600*  
*(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Water Quality Certification  
and for  
Certification of Consistency with the  
Washington Coastal Zone Management Program

Date: May 22, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501065 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600